



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** November 3, 2016  
**AGENDA DATE:** November 9, 2016  
**PROJECT ADDRESS:** 2105 Anacapa Street (MST2008-00311)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Senior Planner *DJK*  
 Betsy Teeter, Planning Technician II *BT*

### **I. PROJECT DESCRIPTION**

The 9,448 square foot project site is located on the corner of Anacapa and Padre Streets. The prior approved project involved the demolition of the existing structures, and the construction of a new 2,735 square foot, one-story residence above an existing 1,752 square foot basement, and add a 1,405 square foot partial basement and attached two-car garage. The proposed total of 5,892 square feet of development on a 9,372 square foot lot is 97% of the required maximum floor-to-lot area ratio (FAR). The project requires compliance with Staff Hearing Officer Resolution No. 024-09, and Planning Commission Resolution No. 021-09. A subsequent Modification was granted in 2014 as a revision to the project to allow an approximately six-square foot addition to the garage and minor alterations to the garage for compliance with the minimum two-car garage dimensions. The current project is for a revision to include alterations to windows, patios, gates, fencing, railings, and other building details, an alteration to the front entry doorway, rooftop and eave, and a new outdoor kitchen with a built-in barbeque and a pizza oven to be located on the front patio in the secondary front yard.

The discretionary applications required for this project is a Front Setback Modification to allow the upper floor patio and the new built-in barbeque and pizza oven on the lower patio to encroach into the required thirty-foot front setback (SBMC § 28.15.060 and SBMC § 28.92.110).

### **II. RECOMMENDATION**

Staff recommends that the Staff Hearing Officer approve the project.

### **III. SITE INFORMATION**

Applicant:	Britton Jewett	Property Owner:	Barbara Mathews
Parcel Number:	025-242-011	Lot Area:	9, 372 sq. ft.
General Plan:	Low Density Residential (Max. 3 du/acre)	Zoning:	E-1
Existing Use:	Single Family Residential	Topography:	8% slope

Adjacent Land Uses:

North - Single Family Residential  
South - Single Family Residential

East - Single Family Residential  
West - Single Family Residential

A. **PROJECT STATISTICS**

	<b>Existing Prior to Demolition</b>	<b>Proposed</b>
Living Area	5,422 sq. ft.	No change
Garage	470 sq. ft.	No change

B. **PROPOSED LOT AREA COVERAGE**

Building: 3,437 sf 34.3 %    Hardscape: 1,251 sf 13.2%    Landscape: 4,904 sf 52.5%

C. **FLOOR-AREA RATIO (FAR)**

Max. Allowed FAR: .37      Proposed FAR: .37      = 97% of Max. Allowed FAR

IV. **BACKGROUND**

The prior development on site consisted of a single family residence and a detached garage, which encroached into both front and interior setbacks. On March 25, 2009, the Staff Hearing Officer (SHO) approved a project that required Modifications to allow alterations within both 30-foot front setbacks, and the proposal included the demolition of the existing structures on site. That decision was appealed to the Planning Commission (PC), and on June 4, 2009, the PC denied the appeal, and upheld the SHO's decision to approve the project. On May 4, 2011, the project was reviewed by the SHO for comments to staff regarding a request for Substantial Conformance Determination (SCD) to reduce the scope of the project. On May 9, 2011, staff granted the SCD to reduce the scope of the project to include partial demolition of the existing structures and a smaller addition, resulting in a 5,892 square foot two-story residence and attached 420 square foot garage. A Modification was granted on March 5, 2014, to allow one new window and an increase to the height of the dwelling within both thirty foot front setbacks and to increase the height of the garage and the dwelling within both interior ten foot setbacks. A Modification was also granted on October 1, 2015 to allow for an addition to the garage with a commensurate increase in the ridge and plate heights, and for window and door changes within the required interior and front setbacks.

V. **DESIGN REVIEW**

The original project received Preliminary Approval by the Single Family Design Board (SFDB) on July 20, 2009. That decision was appealed to the City Council and, on October 6, 2009, the City Council denied the appeal and upheld the SFDB's approval. The project received Final Approval by the SFDB on March 26, 2012. The current project was reviewed by the SFDB on July 5, 2016, and was forwarded to the Staff Hearing Officer with positive comments.



# City of Santa Barbara California

## **\*\*\* SEPARATELY DISTRIBUTED SITE PLAN \*\*\***

Exhibit A: This site plan for this Staff Report has been distributed separately. A copy of the Staff Report, site plan, and exhibits/attachments are available for viewing at the Planning and Zoning Counter at 630 Garden Street, Santa Barbara, CA between the hours of 8:30 a.m. and 4:30 p.m., Monday through Thursday, and every other Friday.

Please check the City Calendar at [www.SantaBarbaraCA.gov](http://www.SantaBarbaraCA.gov) to verify closure dates.

**EXHIBIT A**

**VI. DISCUSSION**

The request to revise the project further is to allow the upper floor patio and the new built-in barbeque and pizza oven on the lower floor front patio to encroach into the required thirty-foot front setback along the secondary front yard (Padre Street). All other proposed revisions will either comply with the Zoning Ordinance or may be granted through a SCD. Staff supports the request for the Front Setback Modification as the property is site constrained due to the two front yards and the lack of an open yard on the lot. The use of the front patios as open yard is appropriate given it will provide recreational space and is not anticipated to adversely impact the adjacent neighbors or the visual openness of the street frontage.

**VII. FINDINGS**

The Staff Hearing Officer finds that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed alterations are appropriate because of the location of the existing development on site, the two front yards, and as the proposal is not anticipated to adversely impact the adjacent properties or the visual openness of the street frontage.

**Exhibits:**

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated August 8, 2016
- C. SFDB Minutes dated September 6, 2016
- D. SHO Resolution No. 024-09
- E. PC Resolution No. 021-09.
- F. SHO Resolution No. 054-14

Contact/Case Planner: Betsy Teeter, Planning Technician II  
(bteeter@SantaBarbaraCA.gov)  
630 Garden Street, Santa Barbara, CA 93101  
Phone: (805) 564-5470 x 4563



architecture & allied arts

Britton Jewett  
Studio 7 Architecture and Allied Arts  
112 East De La Guerra Street #7  
Santa Barbara, CA 93101  
August 8, 2016

**RECEIVED**

**AUG 08 2016**

**CITY OF SANTA BARBARA  
PLANNING DIVISION**

Staff Hearing Officer  
City of Santa Barbara  
P.O. Box 1990  
Santa Barbara, CA 93102-1990

**Re: Modification Request for 2105 Anacapa Street; APN 02-242-011; MST2008-00311**

Dear Staff Hearing Officer,

There are existing modifications to the two interior yard setbacks and the two front yard setbacks for the proposed house located at 2105 Anacapa Street. The building is substantially complete and modifications are being requested for conditions that were revised during construction and have been approved by the Single Family Design Board.

The modifications being requested are to allow a portion of a patio in the secondary front yard setback to be over three feet above existing grade. During construction the edge of the patio off of the dining room at Padre Street was constructed to align with the building, the extension does not exceed 20 inches above finish grade. An outdoor kitchen with a pizza oven are designed to be within the secondary front yard setback, they are located at the basement floor level approximately six feet below finished grade and are not visible from the public way. Two windows on the South side and three windows on the North side project 8 inches into the setback. The projections do not extend beyond the window sill and do not increase floor area. Also, the design of the roof over the front entry located in the primary front yard setback was changed and the door cover was raised 18 inches above the existing eave height, the design was approved by the Single Family Design Board.

The major benefits of the requested modifications are: That they provide a larger single level outdoor terrace at floor level, increase the outdoor living area on a substandard lot size for the zone and add variation to the wall and eaves that provide architectural details compatible with the neighborhood character.

Sincerely yours,

Britton Jewett

## **EXHIBIT B**

Britton I. Jewett, AIA

**REVIEW AFTER FINAL****1. 2105 ANACAPA ST****E-1 Zone****(3:20)**

Assessor's Parcel Number: 025-242-011  
Application Number: MST2008-00311  
Owner: Barbara E. Mathews Revocable Trust  
Architect: Britt Jewett  
Landscape Architect: Arcadia Studio

(Proposal to construct a new 2,735 square foot, one-story residence above an existing 1,752 square foot basement, and add a 1,405 square foot partial basement and attached two-car garage. The proposed total of 5,892 square feet of development on a 9,372 square foot lot is 97% of the required maximum floor-to-lot area ratio (FAR). This project has received Project Design Approval and Final Approval. A Review After Final is requested for revisions to windows, patios, gates, fencing, railings, and other building details. The revised project requires Staff Hearing Officer review for a front setback modification for an "as-built" barbecue and pizza oven located in the required front setback facing Padre Street, and a Substantial Conformance Determination for additional "as-built" items.)

**(Review After Final is requested for a revised planting plan.)**

Actual time: 3:22 p.m.

Present: Derek Eichelberger, Architect; and Mike Zirolli, Owner.

Public comment opened at 3:30 p.m. As no one wished to speak, public comment was closed.

**Motion: Final Approval of Review After Final of only the revised hardscape and landscape planting plan, and continued indefinitely to the Staff Hearing Officer for the proposed front setback modification and a Substantial Conformance Determination for return to Consent Review with conditions:**

- 1) The Board granted Final Approval of **only the revised hardscape and landscape planting plan, based on** plan sheets LP-1 and LP-2, dated August 17, 2016, with the corrections to add back in the missing three palm tree plantings and call-outs and/or any other missing plant species.
- 2) The Board finds the proposed front setback modification and Substantial Conformance Determination are aesthetically appropriate and do not pose consistency issues with the Single Family Residence Design Guidelines.

Action: James/Woolery, 6/0/0. Motion carried.

**\* THE BOARD RECESSED FOR 4 MINUTES AT 3:35 P.M., AND RECOVERED AT 3:39 P.M. \***

**EXHIBIT C**



# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 024-09  
2105 ANACAPA STREET  
MODIFICATION  
MARCH 25, 2009

**APPLICATION OF BRITT JEWETT FOR BARBARA MATHEWS, 2105 ANACAPA STREET, APN 025-242-011, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2008-00311)**

The 9,448 square foot project site is located on the corner of Anacapa and Padre Streets. Current development on site consists of a single family residence and detached garage. The proposed project involves demolition of the existing structures and the construction of a 3,339 square foot single family residence and attached 420 square foot garage. The discretionary applications required for this project are Modifications to allow construction within both thirty-foot front setbacks (SBMC §28.15.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

**WHEREAS**, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

**WHEREAS**, two people appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, March 18, 2009.
2. Site Plans
3. Correspondence received in opposition to the project:  
Paula Westbury, 650 Miramonte Drive

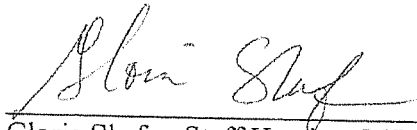
**NOW, THEREFORE BE IT RESOLVED** that the City Staff Hearing Officer:

Approved the project making the finding that the Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot. The proposed window, door and architectural alterations to the one-story portion of the re-built structure will not provide additional floor area within the setbacks. The proposed architectural changes will upgrade and enhance the structure without impacts to the neighborhood.

This motion was passed and adopted on the 25th day of March, 2009 by the Staff Hearing Officer of the city of Santa Barbara.

**EXHIBIT D**

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Staff Hearing Officer at its meeting of the above date.



Gloria Shafer, Staff Hearing Officer Secretary

3-26-2009

Date

**PLEASE BE ADVISED:**

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
4. Subsequent to the outcome of any appeal action your next administrative step should be to apply for Single Family Design Board (SFDB) approval and then a building permit.
5. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
6. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
  - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
  - b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
    - i. an Issuance of a Certificate of Occupancy for the use, or;
    - ii. one (1) year from granting the approval.





# City of Santa Barbara California

## CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 021-09

2105 ANACAPA STREET

MODIFICATIONS

JUNE 4 2009

**APPEAL OF TONY FISCHER ON BEHALF OF THE FRIENDS OF OUTER STATE STREET  
ON THE APPLICATION OF BRITT JEWETT FOR BARBARA MATHEWS, 2105 ANACAPA  
STREET, APN 025-242-011, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN  
DESIGNATION: 3 UNITS PER ACRE (MST2008-00311)**

The 9,448 square foot project site is located on the corner of Anacapa and Padre Streets. Current development on site consists of a single family residence and detached garage. The proposed project involves demolition of the existing structures and the construction of a 3,339 square foot single family residence and attached 420 square foot garage. The discretionary applications required for this project are Modifications to allow construction within both thirty-foot front setbacks (SBMC §28.15.060). On March 25, 2009, the Staff Hearing Officer made the required findings and approved the request. This is an appeal of that action.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303 & 15305.

**WHEREAS**, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

**WHEREAS**, 1 person appeared to speak in favor of the appeal, and one person appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, May 28, 2009
2. Site Plans
3. Correspondence received in favor of the appeal:
  - a. Paula Westbury, Santa Barbara, CA
4. Correspondence received in opposition to the appeal:
  - a. Richard Monk, Hollister and Brace, Santa Barbara, CA
  - b. Mina and Sam Welch, via email
  - c. Frank Kelly, Santa Barbara, CA
  - d. Jean Gates Hall, Santa Barbara, CA
  - e. Sarah Stapelton Dobbs, Santa Barbara, CA
  - f. Oscar E. Hensgen, via email

**EXHIBIT E**

PLANNING COMMISSION RESOLUTION No. 021-09  
2105 ANACAPA STREET  
JUNE 4, 2009  
PAGE 2

**NOW, THEREFORE BE IT RESOLVED** that the City Planning Commission:

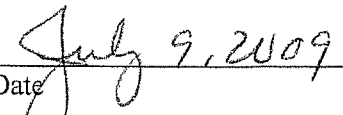
Denied the appeal making the findings as outlined in the Staff Report, and upheld the decision of the Staff Hearing Officer, and referred back to the Single Family Design Board with 1) Concern with fill used to transform non-conforming garage into a basement; and 2) Direction to study reduction of the massing to make more compatible with neighborhood and lot size.

This motion was passed and adopted on the 4th day of June, 2009 by the Planning Commission of the city of Santa Barbara, by the following vote:

AYES: 5 NOES: 0 ABSTAIN: 0 ABSENT: 2 (Larson, Jacobs)

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Planning Commission at its meeting of the above date.

  
\_\_\_\_\_  
Julie Rodriguez, Planning Commission Secretary

  
\_\_\_\_\_  
Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 054-14  
2105 ANACAPA STREET  
MODIFICATION  
OCTOBER 1, 2014

**APPLICATION OF BRITT JEWETT, ARCHITECT FOR BARBARA MATHEWS,  
2105 ANACAPA STREET, APN: 025-242-011, E-1 ONE-FAMILY RESIDENCE ZONE,  
GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (3 DU/ACRE)  
(MST2008-00311).**

The 9,372 net square foot project site is located on the corner of Anacapa and Padre Streets. The proposal involves revisions to a previously approved project. The revisions include an approximately six-square foot addition to the garage and minor alterations to the garage for compliance with the minimum two-car garage dimensions. The previously approved project involved the demolition of the existing structures, and the construction of a new single family residence with an attached garage and basement. The project requires compliance with Staff Hearing Officer Resolutions No. 024-09 and 010-14, and Planning Commission Resolution No. 021-09. The discretionary application required for this project is an Interior Setback Modification to allow the addition and alterations to the garage within the required ten-foot interior setback (SBMC § 28.15.060 and SMBC §28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303 and 15305(New Construction and Minor Alterations in Land Use Limitations).

**WHEREAS**, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

**WHEREAS**, no one appeared to speak either in favor or in opposition of the application thereto, and the following exhibits were presented for the record

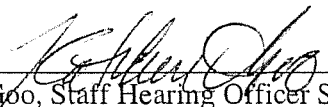
1. Staff Report with Attachments, September 25, 2014.
2. Site Plans

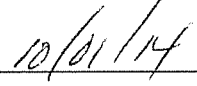
**NOW, THEREFORE BE IT RESOLVED** that the City Staff Hearing Officer approved the Interior Setback Modification making the finding and determination that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot because the uniform addition to the garage will provide the minimum interior dimensions for a two-car garage for the single family residence and the minor addition to the garage is not anticipated to adversely impact the adjacent neighbors.

This motion was passed and adopted on the 1<sup>st</sup> day of October, 2014 by the Staff Hearing Officer of the City of Santa Barbara.

**EXHIBIT F**

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.

\_\_\_\_\_  
Kathleen Goo, Staff Hearing Officer Secretary

\_\_\_\_\_  
Date

**PLEASE BE ADVISED:**

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
4. Subsequent to the outcome of any appeal action your next administrative step should be to apply for **Single Family Design Board (SFDB)** approval and then a building permit.
5. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
6. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
  - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
  - b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
    - i. an Issuance of a Certificate of Occupancy for the use, or;
    - ii. one (1) year from granting the approval.